

REFERENCES IN TEXT

Sections 21, 22 to 24, 26 to 28, 29, 30, 33 to 48, 50 to 52, 71 to 76 of this title and section 661 of title 43, referred to in subsec. (a), were in the original “this chapter”, meaning chapter 6 of title 32 of the Revised Statutes, consisting of R.S. §§2318 to 2352.

CODIFICATION

R.S. §2337 derived from act May 10, 1872, ch. 152, §15, 17 Stat. 96.

AMENDMENTS

1960—Pub. L. 86-390 designated existing provisions as subsec. (a) and added subsec. (b).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 24, 29, 33, 37, 38, 39, 40, 46, 47, 48, 49, 102, 541b of this title; title 16 section 460mm-1; title 25 section 640d-10; title 43 sections 1712, 1714, 1732.

§ 43. Conditions of sale by local legislature

As a condition of sale, in the absence of necessary legislation by Congress, the local legislature of any State or Territory may provide rules for working mines, involving easements, drainage, and other necessary means to their complete development; and those conditions shall be fully expressed in the patent.

(R.S. §2338.)

CODIFICATION

R.S. §2338 derived from act July 26, 1866, ch. 262, §5, 14 Stat. 252.

SUBMERGED LANDS ACT

Provisions of this section as not amended, modified or repealed by the Submerged Lands Act, see section 1303 of Title 43, Public Lands.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 24, 29, 33, 37, 38, 39, 40, 42, 46, 47, 48, 102 of this title; title 16 section 460mm-1.

§§ 44, 45. Omitted

CODIFICATION

Section 44, R.S. §2341; act Mar. 3, 1891, ch. 561, §4, 26 Stat. 1097, provided for extension of provisions of Homestead laws to citizens of United States who had prior to 1874 located on lands designated prior to 1866 as mineral lands, and improved them for agricultural purposes, provided no valuable mineral deposits had been discovered thereon.

Section 45, R.S. §2342; act Mar. 3, 1891, ch. 561, §4, 26 Stat. 1097, provided for setting apart the lands as agricultural.

§ 46. Additional land districts and officers

The President is authorized to establish additional land districts, and to appoint the necessary officers under existing laws, wherever he may deem the same necessary for the public convenience in executing the provisions of sections 21, 22 to 24, 26 to 28, 29, 30, 33 to 48, 50 to 52, 71 to 76 of this title and section 661 of title 43.

(R.S. §2343.)

REFERENCES IN TEXT

Sections 21, 22 to 24, 26 to 28, 29, 30, 33 to 48, 50 to 52, 71 to 76 of this title and section 661 of title 43, referred

to in text, were in the original “this chapter”, meaning chapter 6 of title 32 of the Revised Statutes, consisting of R.S. §§2318 to 2352.

CODIFICATION

R.S. §2343 derived from act July 26, 1866, ch. 262, §7, 14 Stat. 252.

DELEGATION OF FUNCTIONS

For delegation to the Secretary of the Interior of authority vested in the President by this section, see Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, set out as a note under section 301 of Title 3, The President.

SUBMERGED LANDS ACT

Provisions of this section as not amended, modified or repealed by the Submerged Lands Act, see section 1303 of Title 43, Public Lands.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 24, 29, 33, 37, 38, 39, 40, 42, 47, 48, 102 of this title; title 16 section 460mm-1.

§ 47. Impairment of rights or interests in certain mining property

Nothing contained in sections 21, 22 to 24, 26 to 28, 29, 30, 33 to 48, 50 to 52, 71 to 76 of this title and section 661 of title 43 shall be construed to impair in any way, rights or interests in mining property acquired under laws in force prior to July 9, 1870; nor to affect the provisions of the act entitled “An act granting to A. Sutro the right-of-way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the State of Nevada”, approved July 25, 1866.

(R.S. §2344.)

REFERENCES IN TEXT

Sections 21, 22 to 24, 26 to 28, 29, 30, 33 to 48, 50 to 52, 71 to 76 of this title and section 661 of title 43, referred to in text, were in the original “this chapter”, meaning chapter 6 of title 32 of the Revised Statutes, consisting of R.S. §§2318 to 2352.

CODIFICATION

R.S. §2344 derived from acts July 9, 1870, ch. 235, §17, 16 Stat. 218; May 10, 1872, ch. 152, §16, 17 Stat. 96.

SUBMERGED LANDS ACT

Provisions of this section as not amended, modified or repealed by the Submerged Lands Act, see section 1303 of Title 43, Public Lands.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 24, 29, 33, 37, 38, 39, 40, 42, 46, 48, 49, 102, 541b of this title; title 16 section 460mm-1; title 25 section 640d-10; title 43 sections 1712, 1714, 1732.

§ 48. Lands in Michigan, Wisconsin, and Minnesota; sale and disposal as public lands

Except as otherwise provided in chapter 3A of this title, the provisions of sections 21, 22 to 24, 26 to 28, 29, 30, 33 to 47, 51, and 52 of this title and section 661 of title 43 shall not apply to the mineral lands situated in the States of Michigan, Wisconsin, and Minnesota, which are declared free and open to exploration and purchase, according to legal subdivisions, in like manner as before the 10th day of May 1872. And any bona fide entries of such lands within the States